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April 26, 2010

**VIA E-FILING**

Jocelyn Boyd  
Chief Clerk of the Commission  
SC Public Service Commission  
P. O. Drawer 11649  
Columbia, SC 29211

RE: Duke Energy Carolinas, LLC Annual Review of Base Rates for Fuel Costs  
Docket No. 2010-3-E

Dear Ms. Boyd:

Enclosed please find for filing a Petition to Intervene filed on behalf of the South Carolina Energy Users Committee ("SCEUC") in the above-captioned matter. By copy of this letter, I am serving all parties of record.

If you have questions, please do not hesitate to contact me.

Sincerely Yours,

ELLIOTT & ELLIOTT, P.A.



Scott Elliott

SE/jcl  
Enclosures

cc: All parties of record (w/Encl.)

**STATE OF SOUTH CAROLINA**  
**BEFORE THE PUBLIC SERVICE COMMISSION**  
**DOCKET NO. 2010-3-E**

IN THE MATTER OF:

Duke Energy Carolinas, LLC Annual  
Review of Base Rates for  
Fuel Costs

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**PETITION TO INTERVENE**

The South Carolina Energy Users Committee ("SCEUC") hereby petitions the South Carolina Public Service Commission ("Commission") pursuant to R.103-825 of the Commission's rules and regulations to intervene and be made a party of record in the above-captioned docket. In support of this Petition, SCEUC would allege as follows:

1. That S.C. Code Ann. §58-27-865 (Supp. 2009) established a procedure for annual hearings to allow the Commission and all interested parties to review the fuel purchasing practices and policies of Duke Energy Carolinas, LLC ("Duke") and for the Commission to determine if any adjustment in the fuel cost recovery mechanism is necessary and reasonable.
2. That SCEUC is an association organized in the State of South Carolina, consisting of large consumers of energy which are engaged in various manufacturing enterprises throughout the State.
3. That a number of members of SCEUC purchase and consume substantial amounts of electricity from Duke.

4. That SCEUC and its members have a direct and material interest in the issues to be addressed and resolved by the Commission in this docket and the interests of its members are not adequately represented by the current parties to this proceeding.

5. That given the state of the record at this stage of the proceedings, SCEUC lacks sufficient information to fully develop and state its position in this proceeding at this time.

6. That granting SCEUC's request to be made a party of record in this proceeding is in the public interest, is consistent with the policies of the Commission in encouraging maximum public participation in issues before it, and should be allowed so that a full and complete record addressing its views and concerns can be developed.

7. That in accordance with Rule R. 103-804 (S) of the Commission's Rules of Practice and Procedure, Petitioner is represented by counsel in this proceeding:



Scott Elliott, Esquire  
Elliott & Elliott, P.A.  
1508 Lady Street  
Columbia, South Carolina 29201  
Telephone: 803-771-0555  
Fax: 803-771-8010

WHEREFORE, Petitioner prays for the following relief:

- a. That this Petition to Intervene be accepted and that Petitioner be made a party of record;
- b. That Petitioner be allowed to participate fully in this proceeding and take such positions as it deems advisable; and

- c. For such other and further relief as is just and proper.

P.3



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Scott Elliott, Esquire  
ELLIOTT & ELLIOTT, P.A.  
1508 Lady Street  
Columbia, SC 29201  
(803) 771-0555

Attorney for the South Carolina Energy  
Users Committee

Columbia, South Carolina  
April 26, 2010

## CERTIFICATE OF SERVICE

The undersigned employee of Elliott & Elliott, P.A. does hereby certify that (s)he has served below listed parties with a copy of the pleading(s) indicated below by mailing a copy of same to them in the United States mail, by regular mail, with sufficient postage affixed thereto and return address clearly marked on the date indicated below:

RE: Duke Energy Carolinas, LLC Annual Review of Base  
Rates for Fuel Costs

DOCKET NO.: 2010-3-E

PARTIES SERVED:

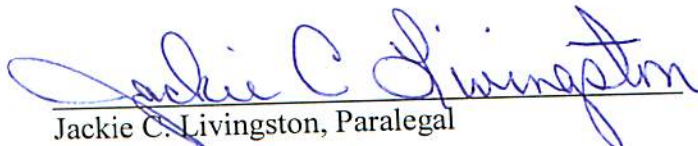
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Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, SC 29201

PLEADING: PETITION TO INTERVENE BY SOUTH CAROLINA  
ENERGY USERS COMMITTEE

April 26, 2010

  
Jackie C. Livingston, Paralegal